

# House File 2577

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 729)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to and making appropriations from the healthy  
2 Iowans tobacco trust and the tobacco settlement trust fund and  
3 providing an effective date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 7051HV 80  
6 pf/pj/5

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1 1 Section 1. HEALTHY IOWANS TOBACCO TRUST == APPROPRIATIONS  
1 2 TO DEPARTMENTS. There is appropriated from the healthy Iowans  
1 3 tobacco trust created in section 12.65 to the following  
1 4 departments for the fiscal year beginning July 1, 2004, and  
1 5 ending June 30, 2005, the following amounts, or so much  
1 6 thereof as is necessary, to be used for the purposes  
1 7 designated:  
1 8 1. To the department of human services:  
1 9 a. Unless otherwise provided, to maintain the  
1 10 reimbursement rate for all noninstitutional medical assistance  
1 11 providers, with the exception of anesthesia and dental  
1 12 services, at the rate provided under the federal Medicare  
1 13 program for such providers during the fiscal year beginning  
1 14 July 1, 2000, and ending June 30, 2001, as specified in 2000  
1 15 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph  
1 16 "a", for the fiscal year July 1, 2004, through June 30, 2005,  
1 17 and to continue the resource-based relative value system of  
1 18 reimbursement under the medical assistance program:  
1 19 ..... \$ 8,095,718  
1 20 b. To maintain the reimbursement rate at the usual and  
1 21 customary rate as established in 2000 Iowa Acts, chapter 1221,  
1 22 section 1, subsection 1, paragraph "b", for the fiscal year  
1 23 July 1, 2004, through June 30, 2005, for dental services under  
1 24 the medical assistance program:  
1 25 ..... \$ 3,814,973  
1 26 c. To maintain the reimbursement rate as established in  
1 27 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
1 28 paragraph "e", for the fiscal year July 1, 2004, through June  
1 29 30, 2005, for hospitals under the medical assistance program:  
1 30 ..... \$ 3,035,278  
1 31 d. To maintain the reimbursement rate as established in  
1 32 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
1 33 paragraph "f", for the fiscal year July 1, 2004, through June  
1 34 30, 2005, for home health care services under the medical  
1 35 assistance program:  
2 1 ..... \$ 2,108,279  
2 2 e. To maintain the reimbursement rate as established in  
2 3 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
2 4 paragraph "g", for the fiscal year July 1, 2004, through June  
2 5 30, 2005, for critical access hospitals under the medical  
2 6 assistance program:  
2 7 ..... \$ 250,000  
2 8 f. To maintain the expansion of home health care services  
2 9 and habilitative day care as established in 2000 Iowa Acts,  
2 10 chapter 1221, section 1, subsection 1, paragraph "h", under  
2 11 the medical assistance program for children with special  
2 12 needs:  
2 13 ..... \$ 1,975,496  
2 14 g. To maintain the expansion of respite care services  
2 15 provided through home and community-based waivers as  
2 16 established in 2000 Iowa Acts, chapter 1221, section 1,  
2 17 subsection 1, paragraph "i", under the medical assistance  
2 18 program:  
2 19 ..... \$ 1,137,309  
2 20 h. To maintain the cost-of-living adjustment as  
2 21 established in 2000 Iowa Acts, chapter 1221, section 1,

2 22 subsection 1, paragraph "c", for the fiscal year July 1, 2004,  
 2 23 through June 30, 2005, for rehabilitative treatment and  
 2 24 support services providers under child and family services:  
 2 25 ..... \$ 3,243,026  
 2 26 i. To maintain the cost-of-living adjustment as  
 2 27 established in 2000 Iowa Acts, chapter 1221, section 1,  
 2 28 subsection 1, paragraph "d", for the fiscal year July 1, 2004,  
 2 29 through June 30, 2005, for adoption, independent living,  
 2 30 shelter care, and home studies services providers:  
 2 31 ..... \$ 468,967  
 2 32 j. To maintain the reimbursement rate as established in  
 2 33 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
 2 34 paragraph "j", for the fiscal year July 1, 2004, through June  
 2 35 30, 2005, to service providers under the purview of the  
 3 1 department of human services:  
 3 2 ..... \$ 545,630  
 3 3 2. To the department of human services to continue the  
 3 4 supplementation of the children's health insurance program  
 3 5 appropriation:  
 3 6 ..... \$ 200,000  
 3 7 3. To the department of human services to provide coverage  
 3 8 under the medical assistance program to women who require  
 3 9 treatment for breast or cervical cancer as provided in section  
 3 10 249A.3, subsection 2, paragraph "b":  
 3 11 ..... \$ 250,000  
 3 12 4. To the department of human services to continue the  
 3 13 supplementation of the medical assistance appropriation:  
 3 14 ..... \$ 14,346,750  
 3 15 Of the amount appropriated in this subsection, \$50,000  
 3 16 shall be used to continue the efforts of the Iowa chronic care  
 3 17 consortium pursuant to 2003 Iowa Acts, chapter 112, section  
 3 18 12, as amended by 2003 Iowa Acts, chapter 179, sections 166  
 3 19 and 167.  
 3 20 5. To the department of human services for general  
 3 21 administration of health-related programs:  
 3 22 ..... \$ 274,000  
 3 23 6. To the Iowa department of public health:  
 3 24 a. For the tobacco use prevention and control initiative,  
 3 25 including efforts at the state and local levels, as provided  
 3 26 in chapter 142A and for not more than the following full-time  
 3 27 equivalent positions:  
 3 28 ..... \$ 5,011,565  
 3 29 ..... FTEs 7.00  
 3 30 (1) The director of public health shall dedicate  
 3 31 sufficient resources to promote and ensure retailer compliance  
 3 32 with tobacco laws and ordinances relating to persons under 18  
 3 33 years of age, and shall prioritize the state's compliance in  
 3 34 the allocation of available funds to comply with 42 U.S.C. }  
 3 35 300x=26 and section 453A.2.  
 4 1 (2) Of the full-time equivalent positions funded under  
 4 2 this section, two full-time equivalent positions shall be  
 4 3 utilized to provide for enforcement of tobacco laws,  
 4 4 regulations, and ordinances under a chapter 28D agreement  
 4 5 entered into between the Iowa department of public health and  
 4 6 the alcoholic beverages division of the department of  
 4 7 commerce.  
 4 8 (3) Of the funds appropriated in this paragraph "a", not  
 4 9 more than \$525,759 shall be expended on administration and  
 4 10 management of the program.  
 4 11 (4) Of the funds appropriated in this paragraph "a", not  
 4 12 less than 80 percent of the amount expended in the fiscal year  
 4 13 beginning July 1, 2001, for community partnerships shall be  
 4 14 expended in the fiscal year beginning July 1, 2004, for that  
 4 15 purpose.  
 4 16 b. For provision of smoking cessation and smoking-related  
 4 17 diseases products as provided in this paragraph:  
 4 18 ..... \$ 75,000  
 4 19 The department shall award grants to free health clinics  
 4 20 that are tax-exempt organizations pursuant to 26 U.S.C. } 501  
 4 21 (c)(3) to fund the provision of smoking cessation and smoking=  
 4 22 related diseases products to patients. The department shall  
 4 23 adopt a methodology for the awarding of the grants to the  
 4 24 health clinics based upon the order of receipt of  
 4 25 applications.  
 4 26 c. For additional substance abuse treatment under the  
 4 27 substance abuse treatment program:  
 4 28 ..... \$ 11,800,000  
 4 29 (1) The department shall use funds appropriated in this  
 4 30 paragraph "c" to enhance the quality of and to expand the  
 4 31 capacity to provide 24-hour substance abuse treatment  
 4 32 programs.

4 33 (2) The department shall use funds appropriated in this  
4 34 paragraph "c" to expand the length of individual client  
4 35 substance abuse treatment plans, as necessary to reduce  
5 1 program recidivism.

5 2 (3) The department shall use funds appropriated in this  
5 3 paragraph "c" to share research-based best practices for  
5 4 treatment with substance abuse treatment facilities.

5 5 (4) The department shall use funds appropriated in this  
5 6 paragraph "c" to develop a results-based funding approach for  
5 7 substance abuse treatment services.

5 8 (5) The department shall use funds appropriated in this  
5 9 paragraph "c" to develop a program to encourage individuals  
5 10 who are successfully managing their substance abuse problems  
5 11 to serve as role models.

5 12 (6) The department shall submit a report annually by March  
5 13 1, to the governor and the general assembly delineating the  
5 14 success rates of the substance abuse treatment programs that  
5 15 receive funding under this paragraph "c".

5 16 d. For the healthy Iowans 2010 plan within the Iowa  
5 17 department of public health and for not more than the  
5 18 following full-time equivalent positions:

5 19 ..... \$ 2,346,960  
5 20 ..... FTEs 4.00

5 21 (1) Of the funds appropriated in this paragraph "d", not  
5 22 more than \$1,157,482 shall be used for core public health  
5 23 functions, including home health care and public health  
5 24 nursing services, contracted through a formula by local boards  
5 25 of health, to enhance disease and injury prevention services.

5 26 (2) Of the funds appropriated in this paragraph "d", not  
5 27 more than \$387,320 shall be used for the continuation and  
5 28 support of a coordinated system of delivery of trauma and  
5 29 emergency medical services.

5 30 (3) Of the funds appropriated in this paragraph "d", not  
5 31 more than \$437,000 shall be used for the state poison control  
5 32 center.

5 33 (4) Of the funds appropriated in this paragraph "d", not  
5 34 more than \$288,770 shall be used for the development of  
5 35 scientific and medical expertise in environmental  
6 1 epidemiology.

6 2 (5) Of the funds appropriated in this paragraph "d", not  
6 3 more than \$76,388 shall be used for the childhood lead  
6 4 poisoning prevention program.

6 5 e. For the automated external defibrillator grant program  
6 6 established by 2004 Iowa Acts, House File 2464, if enacted:

6 7 ..... \$ 250,000

6 8 f. For the center for congenital and inherited disorders:

6 9 ..... \$ 26,000

6 10 6. To the department of corrections:  
6 11 ..... \$ 980,000

6 12 a. Of the funds appropriated in this subsection, \$127,217  
6 13 is allocated to the second judicial district department of  
6 14 correctional services to replace expired federal funding for  
6 15 day programming.

6 16 b. Of the funds appropriated in this subsection, \$35,359  
6 17 is allocated to the third judicial district department of  
6 18 correctional services to replace expired federal funding for  
6 19 the drug court program.

6 20 c. Of the funds appropriated in this subsection, \$191,731  
6 21 is allocated to the fourth judicial district department of  
6 22 correctional services for a drug court program.

6 23 d. Of the funds appropriated in this subsection, \$255,693  
6 24 is allocated to the fifth judicial district department of  
6 25 correctional services to replace expired funding for the drug  
6 26 court program.

6 27 e. Of the funds appropriated in this subsection, \$370,000  
6 28 is allocated to the Newton correctional facility for a value=  
6 29 based treatment program. Of the funds allocated in this  
6 30 paragraph, \$60,000 shall be used to operate a similar value=  
6 31 based treatment program at the Iowa correctional institution  
6 32 for women at Mitchellville. Moneys allocated for the program  
6 33 at Mitchellville that remain unencumbered or unobligated for  
6 34 that purpose at the close of the fiscal year shall revert.

6 35 7. To the department for the blind:

7 1 ..... \$ 130,000

7 2 To plan, establish, administer, and promote a statewide  
7 3 program to provide audio news and information services to  
7 4 blind or visually impaired persons residing in this state.

7 5 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS ==  
7 6 REIMBURSEMENT INCREASE. There is appropriated from the  
7 7 healthy Iowans tobacco trust created in section 12.65 to the  
7 8 property tax relief fund created in section 426B.1 for the

7 9 fiscal year beginning July 1, 2004, and ending June 30, 2005,  
7 10 the following amount, or so much thereof as is necessary, to  
7 11 be used for the purposes designated:

7 12 For assistance to the counties with limited county mental  
7 13 health, mental retardation, and developmental disabilities  
7 14 services fund balances which were selected in accordance with  
7 15 2000 Iowa Acts, chapter 1221, section 3, to receive such  
7 16 assistance in the same amount provided during the fiscal year  
7 17 beginning July 1, 2000, and ending June 30, 2001, to pay  
7 18 reimbursement increases in accordance with 2000 Iowa Acts,  
7 19 chapter 1221, section 3:

7 20 ..... \$ 146,750

7 21 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from  
7 22 the healthy Iowans tobacco trust created in section 12.65, to  
7 23 the Iowa empowerment fund created in section 28.9 for the  
7 24 fiscal year beginning July 1, 2004, and ending June 30, 2005,  
7 25 for deposit in the school ready children grants account and  
7 26 for distribution as provided in this section:

7 27 ..... \$ 2,153,250

7 28 Sec. 4. DEPARTMENT OF CORRECTIONS == SPECIAL NEEDS UNIT.  
7 29 There is appropriated from the healthy Iowans tobacco trust  
7 30 created in section 12.65, to the department of corrections for  
7 31 the fiscal year beginning July 1, 2004, and ending June 30,  
7 32 2005, the following amount, or so much thereof as is  
7 33 necessary, to be used for the purpose designated:

7 34 For operating the special needs unit at the Fort Madison  
7 35 correctional facility:

8 1 ..... \$ 1,187,285

8 2 Sec. 5. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER.

8 3 In addition to the amount transferred pursuant to section  
8 4 12E.12, subsection 1, paragraph "b", subparagraph (2),  
8 5 subparagraph subdivision (b), \$6,316,077 is transferred from  
8 6 the endowment for Iowa's health account of the tobacco  
8 7 settlement trust fund created in section 12E.12 to the healthy  
8 8 Iowans tobacco trust created in section 12.65 for the fiscal  
8 9 year beginning July 1, 2004, and ending June 30, 2005.

8 10 Sec. 6. Section 216B.3, Code Supplement 2003, is amended  
8 11 by adding the following new subsection:

8 12 NEW SUBSECTION. 18. Plan, establish, administer, and  
8 13 promote a statewide program to provide audio news and  
8 14 information services to blind or visually impaired persons  
8 15 residing in this state.

8 16 a. The commission may enter into necessary contracts and  
8 17 arrangements with the national federation for the blind to  
8 18 provide for the delivery of newspapers over the telephone,  
8 19 furnished by the national federation for the blind.

8 20 b. The commission may enter into necessary contracts and  
8 21 arrangements with the Iowa radio reading information service  
8 22 for the blind and print handicapped to provide for the  
8 23 delivery of newspapers, magazines, and other printed materials  
8 24 over the radio, furnished by the Iowa radio reading  
8 25 information service for the blind and print handicapped.

8 26 Sec. 7. Section 216B.4, unnumbered paragraph 1, Code 2003,  
8 27 is amended to read as follows:

8 28 The director may accept financial aid from the government  
8 29 of the United States for carrying out rehabilitation and  
8 30 physical restoration of the blind and for providing library,  
8 31 news, and information services to persons who are blind and  
8 32 persons with physical disabilities.

8 33 Sec. 8. 2003 Iowa Acts, chapter 183, section 1, subsection  
8 34 5, paragraph b, is amended to read as follows:

8 35 b. For a grant to a program that utilizes high school  
9 1 mentors to teach life skills, violence prevention, and  
9 2 character education in an effort to reduce the illegal use of  
9 3 alcohol, tobacco, and other substances:

9 4 ..... \$ 400,000

9 5 (1) The program described in this paragraph "b" shall meet  
9 6 all of the following requirements:

9 7 (a) The program shall be a statewide mentoring program  
9 8 that is an alternative to mentoring programs that utilize the  
9 9 standards of effective practice.

9 10 (b) The program shall contract with a university to assist  
9 11 in curriculum development and performance evaluation.

9 12 (c) The program shall provide for some level of public=  
9 13 private partnership.

9 14 (d) The program shall obtain the assistance of the Iowa  
9 15 department of public health in the development of the  
9 16 performance evaluation design.

9 17 (e) The program shall demonstrate improvement in meeting  
9 18 the current standards.

9 19 (2) The Iowa department of public health may use up to

9 20 \$50,000 of the moneys appropriated under this paragraph "b" to  
9 21 provide technical assistance to and monitoring of the program.  
9 22 (3) Notwithstanding section 8.33, moneys appropriated under  
9 23 this paragraph "b" that remain unencumbered or unobligated at  
9 24 the close of the fiscal year shall not revert but shall remain  
9 25 available for the purpose designated in the succeeding fiscal  
9 26 year.  
9 27 Sec. 9. EFFECTIVE DATE. The section of this Act amending  
9 28 2003 Iowa Acts, chapter 183, being deemed of immediate  
9 29 importance, takes effect upon enactment.  
9 30 HF 2577  
9 31 pf/es/25